



City of Rowlett

Meeting Agenda

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, January 3, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

1. CALL TO ORDER

CONVENE INTO EXECUTIVE SESSION

2. EXECUTIVE SESSION (5:30 P.M.)

- 2A.** The City Council shall convene into closed Executive Session under §551.071 (Legal Consultation with City Attorney), §551.072 (Real Property), and §551.087 (Economic Development), TEXAS GOVERNMENT CODE, to seek legal advice and deliberate regarding real property and economic development pertaining to a proposed facilities agreement for the Trails of Cottonwood Creek as it relates to sewer improvements. (20 minutes)
- 2B.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with City Attorney) to consult with the City Attorney regarding settlement of pending litigation between City of Rowlett and Songer Construction. (10 minutes)

RECONVENE INTO OPEN SESSION

3. WORK SESSION ITEMS (6:00 P.M.)

- 3A.** Following a presentation, discuss Council support for a prospective senior housing project at 5404 Kenwood Drive. (20 minutes)
- 3B.** Discuss amending the Code of Ordinances by amending Article I ("In General") of Chapter 6 ("Animals") to revise the definitions of "Dangerous Animals", "Dangerous Propensities", and "Vicious Animal"; by amending Article V ("Vicious Animals") of Chapter 6 ("Animals") to replace the word "Animal" with "Dog", by amending Article VI ("Dangerous Animals") of Chapter 6 ("Animals") to replace the word "Animal" with "Dog". (15 minutes)

- 3C. Discuss reserving oil and gas rights in future conveyances of City-owned property. (15 minutes)
- 3D. Discuss the agreement with HOK for Realize Rowlett Phase II to be authorized on the Consent Agenda including an overview of the planning process and moratoriums. (25 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

INVOCATION

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A. Hear presentation of the Monthly Financial report for the period ending October 31, 2011.
- 5B. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

6. CITIZENS' INPUT

At this time, three-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. No action can be taken by the Council during Citizens' Input.

7. CONSENT AGENDA

The following may be acted upon in one motion. A City Council member or a Citizen may request items be removed from the Consent Agenda for individual consideration.

- 7A. Consider approving minutes from the November 29, 2011 City Council Joint Work Session Meeting and the December 6, 2011 Regular Meeting.
- 7B. Consider action to approve a resolution authorizing the City Manager to enter into an agreement with Hellmuth Obata Kassabaum LP (HOK) for Realize Rowlett 2020 Phase II.
- 7C. Consider action to approve a resolution awarding Bank Depository and Merchant Card Services to American National Bank and authorize the City Manager to enter into an agreement after City Attorney approval.

- 7D.** Consider action to approve a resolution awarding the bid for the five-year lease purchase financing of one 2011 Dodge Ram Chassis with Frazer Type I Ambulance Module to Branch Banking and Trust (BB&T) Governmental Finance in the amount of one hundred forty-three thousand one hundred forty-six dollars and twenty cents (\$143,146.20) utilizing an interest rate of 1.75%.
- 7E.** Consider action to approve a resolution awarding a contract to XIT Paving & Construction, Inc. for the Martin Drive Reconstruction Project from Industrial Road to SH66 (Lakeview Parkway) with a Base Bid amount of eight hundred eight thousand twenty-one dollars and thirty-nine cents (\$808,021.39), and approving a contingency amount of eighty thousand eight hundred two dollars and fourteen cents (\$80,802.14) (10%) for a total project budget of eight hundred eighty-eight thousand eight hundred twenty-three dollars and fifty-three cents (\$888,823.53) and authorizing the Mayor to execute such agreement in a form approved by the City Attorney.
- 7F.** Consider a resolution determining the necessity to acquire a tract of land of approximately 0.033 acres owned by Rest Haven Funeral Home, Inc. for the public purpose of acquiring drainage easements and for construction, access, and to allow for the conveyance of drainage for the Kyle Road project; authorizing the City Manager to acquire said property; and authorizing the filing of proceedings in eminent domain to acquire the property.
- 7G.** Consider a resolution determining the necessity to acquire a tract of land of approximately 0.149 acres owned by Texas Princeton Land, L.L.C. for the public purpose of acquiring drainage easements and for construction, access, and to allow for the conveyance of drainage for the Kyle Road project; authorizing the City Manager to acquire said property; and authorizing the filing of proceedings in eminent domain to acquire the property.
- 7H.** Consider a resolution authorizing the acceptance of a dedication of a water utility easement on parts of Lots 21 and Lot 22, Block F, of the Lake Valley Estates Phase II Subdivision.
- 7I.** Consider approving a resolution authorizing the City Manager to execute a License Agreement with Dallas Area Rapid Transit for the construction, installation, maintenance, and operation of one 12-inch sanitary sewer line within a 20-inch steel casing pipe crossing the North East Garland Line approximately 250 feet north of Miller Road at Mile Post 744.85, in Rowlett, Dallas County, Texas.
- 7J.** Consider action to authorize the final acceptance of the 2011 Contract for Concrete Repair/Maintenance of Streets and the release of retainages in the amount of one hundred sixty-two thousand four hundred ninety-nine dollars and ninety-two cents (\$162,499.92) plus accrued interest on the retainages to Tri-Con Services, Incorporated, and authorizing the Mayor to execute the necessary documents.
- 7K.** Consider action to approve a resolution authorizing the first of two one-year options to extend the annual bid for concrete repair of streets and alleys to Tri-Con Services, Incorporated in the unit amounts bid and an estimated annual amount of one million three hundred thousand dollars and no cents (\$1,300,000) and authorizing the Mayor to execute the Standard Public Works Construction Contract for said service.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

If a Public Hearing is listed, the City Council will conduct such public hearing to receive comments concerning the specific items listed in the agenda. Any interested persons may appear and offer comments, either orally or in writing; however, questioning of those making presentations will be reserved exclusively to the presiding officer as may be necessary to ensure a complete record. While any person with pertinent comments will be granted an opportunity to present them during the course of the hearing, the presiding officer reserves the right to restrict testimony in terms of time and repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views and identical or similar comments through a representative member when possible. Presentations must remain pertinent to the issues being discussed. A person may not assign a portion of his or her time to another speaker.

- 8A. Conduct a public hearing and consider an ordinance approving text amendments to the Rowlett Development Code relating to building, landscaping and use regulations in M-1 and M-2 manufacturing/industrial districts and temporary parking regulations for Temporary Use Permits.
- 8B. Conduct a public hearing and consider an ordinance approving text amendments to the Rowlett Development Code to adopt new Industrial Overlay District regulations.
- 8C. Conduct a public hearing and consider approving an ordinance to rescind Planned Development 9-29-77D and establish a base zoning of General Manufacturing (M-2), for the Toler Industrial Park on Boyd Boulevard in the City of Rowlett, Texas.
- 8D. Conduct a public hearing and consider approving an ordinance establishing an Industrial Overlay District for the Boyd Boulevard, Gordon Smith Drive, Grisham Drive, and Dexham Road industrial park in the City of Rowlett, Texas.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

9. ADJOURNMENT

Stacey Chadwick, Interim City Secretary

I certify that the above notice of meeting was posted on the bulletin board inside the Municipal Center, as well as, outside the Municipal Center, 4000 Main Street, Rowlett, Texas on the 29th day of December, 2011, by 5:00 p.m.

State of Texas, Dallas County, Texas

Stacey Chadwick, Interim City Secretary, acknowledged this instrument before me on December 29, 2011.

Benita J. Bowser

Commission Expires:

